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16 Attorneys for Plaintiff
17 UNWIRED PLANET LLC

18 **UNITED STATES DISTRICT COURT**

19 **DISTRICT OF NEVADA**

20 **UNWIRED PLANET LLC, a Nevada
21 limited liability company,**

22 **Plaintiff,**

23 **vs.**

24 **SQUARE, INC., a Delaware
25 corporation,**

26 **Defendant.**

27 **CIVIL ACTION NO. 3:13-CV-00579-RCJ-WGC**

28 **PLAINTIFF UNWIRED PLANET LLC'S
ANSWER TO SQUARE, INC.'S
COUNTERCLAIMS TO FIRST AMENDED
COMPLAINT FOR PATENT
INFRINGEMENT**

AND RELATED COUNTERCLAIMS

1 **ANSWER TO COUNTERCLAIMS OF DEFENDANT SQUARE, INC.**
 2 **BY PLAINTIFF UNWIRED PLANET LLC.**

3 Plaintiff and Counterclaim Defendant Unwired Planet LLC (“Unwired Planet”) hereby
 4 responds to and answers Defendant and Counterclaimant Square, Inc.’s (“Square”) counterclaims,
 5 as these appear in Defendant’s Square Inc.’s Answer to First Amended Complaint for Patent
 6 Infringement (Dkt. No. 35), beginning at page 8, line 19, as follows:

7 1. Admitted.

8 2. Denied.

9 3. Unwired Planet admits that Square purports to state counterclaims for declaratory
 10 relief that each of U.S. Patents Nos. 7,711,100; 7,376,433; and 8,275,359 (collectively, the
 11 “Asserted Patents”) is invalid and has not been infringed by Square. Unwired Planet admits that
 12 Square contends that this Court has subject matter jurisdiction over its counterclaims under 28
 13 U.S.C. §§ 1331, 1338, and 2201.

14 4. Unwired Planet admits that it has submitted to personal jurisdiction and venue for
 15 this case in this District. Unwired Planet admits that Square has filed a motion to transfer this
 16 case to the Northern District of California. Unwired Planet denies the other allegations of
 17 paragraph 4.

18 5. Admitted.

19 6. Denied.

20 7. Unwired Planet admits that an actual controversy has arisen and now exists
 21 between Square and Unwired Planet as to infringement and validity of the Asserted Patents.
 22 Unwired Planet denies the other allegations of paragraph 7.

23 **First Counterclaim – “Declaration of Non-Infringement”**

24 8. Unwired Planet admits that Square purports to restate and incorporate by reference
 25 each of the allegations of all of the preceding paragraphs of its Answer and Counterclaims.

26 9. Unwired Planet admits that it is the owner and assignee of all rights, title and
 27 interest in the Asserted Patents.

28 10. Unwired Planet admits that, in paragraph 19 of its Complaint, Unwired Planet

alleges that Square directly infringes the Asserted Patents.

11. Denied.

12. Unwired Planet is without knowledge or information sufficient to form a belief as to the truth of Square's statement regarding Mobile Devices, and on that basis denies it. Unwired Planet denies the other allegations of paragraph 12.

13. Denied.

14. Denied.

15. Denied.

16. Denied.

17. Denied.

18. Denied.

19. Unwired Planet is without knowledge or information sufficient to form a belief as to the truth of the allegations in paragraph 19 and, on that basis, denies them.

20. Denied.

21. Denied.

Second Counterclaim – “Declaration of Patent Invalidity”

22. Unwired Planet admits that Square purports to restate and incorporate by reference each of the allegations of all of the preceding paragraphs of its Answer and Counterclaims.

23. Denied.

24. Denied.

DEMAND FOR JURY TRIAL

25. Unwired Planet requests a trial by jury of all issues properly triable by a jury.

PRAYER FOR RELIEF

1-7. Unwired Planet denies that Defendant and Counterclaimant Square is entitled to any of the relief sought in paragraphs 1-7 of its Prayer for Relief, or any other relief.

1 Dated: February 18, 2014

Respectfully submitted,

2
3 By /s/ Michael D. Rounds

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30 *Attorneys for Plaintiff*
31 **UNWIRED PLANET LLC**

CERTIFICATE OF SERVICE

Pursuant to FRCP 5(b), I certify that I am an employee of Watson Rounds, and that on this date a true and correct copy of the foregoing document, **PLAINTIFF UNWIRED PLANET LLC's ANSWER TO SQUARE, INC.'S COUNTERCLAIMS TO FIRST AMENDED COMPLAINT FOR PATENT INFRINGEMENT**, will be served upon counsel of record via electronic mail through the United States District Court's CM/ECF system.

Dated: February 18, 2014

/s/ Jeff Tillison

An Employee of Watson Rounds